

**REMARKS**

Claims 1-14 and 16-23 remain pending.

**Claims 1-14 and 16-23 over Croft in view of Gendel**

In the Office Action, claims 1-14 and 16-23 were rejected under 35 USC 103(a) as allegedly being obvious over U.S. Pat. No. 6,490,439 to Croft et al. ("Croft") in view of U.S. Pat. No. 6,127,936 to Gendel et al. ("Gendel"). The Applicants respectfully traverse the rejection.

Claims 1-14 and 16-23 are amended herein to recite a system and method that determines an amount of quality achieved above a compliance to an acceptable level necessary to establish a presence in a piconet network, the acceptable level being configurable by a user of a wireless piconet device.

The Applicants have requested that the independent claims be amended herein to more clearly recite an acceptable level being configurable by a user of a wireless piconet device. The Applicants believe the claims as currently pending are neither shown nor suggested in the cited art or any other prior art reference known to the Applicants. Therefore, the Applicants respectfully request reconsideration and withdrawal of this rejection.

For at least all the above reasons, claims 1-14 and 16-23 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Conclusion**

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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